

ARNOLD & PORTER LLP

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555 Twelfth Street, NW
Washington, DC 20004-1206



January 6, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Conf. No. 9574
Art Unit: 1653
Examiner: A. Mohamed

Re: U.S. Application No. 09/003,869 filed January 7, 1998
Title: Use of Exendins for the Reduction of Food Intake
Applicants: Nigel R.A. BEELEY *et al.*
Atty. Docket: 18528.032

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Interview Summary;
2. Response to Office Action mailed December 7, 2004;
3. Courtesy copy of papers deposited July 30, 1999 via certificate of mailing (date-stamped as received by OIPE on August 3, 1999), including:
 - a. Copy of front and back of postcard date-stamped by OIPE on August 3, 1999,
 - b. Copy of Lyon & Lyon LLP Check No. 5875 in the amount of \$435.00 for payment of 3 month extension of time fee,
 - c. Response to Communication,
 - d. Statement under 37 C.F.R. § 1.821(f);
 - e. Copy of front of diskette containing sequence listing in electronic form, and
 - f. Copy of sequence listing in paper form (100 pages); and
4. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

ARNOLD & PORTER LLP

Commissioner for Patents

Atty. Docket: 18528.032

January 6, 2005

Page 2

In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18528.032. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. Marsh". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

David R. Marsh (Reg. No. 41,408)

Thomas E. Holsten (Reg. No. 46,098)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

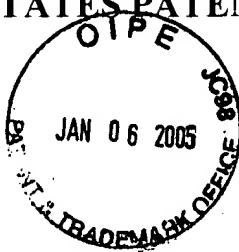
In re Patent Application of:

Nigel R.A. BEELEY *et al.*

Appln. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction
of Food Intake**



Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032

Confirmation No.: 9574

Interview Summary

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Interview Summary dated January 4, 2005, Applicants respectfully submit the following summary of the substance of the interview.

In Person Interview, in Attendance:

Examiner: Abdel Mohamed

SPE: Jon Weber

Registered Attorney: David R. Marsh

Registered Attorney: Thomas E. Holsten

Telephonic Interview, in Attendance:

Registered Attorney: James Butler

1) Exhibits: None

2) Claims Discussed: None.

3) Cited Art Discussed: None

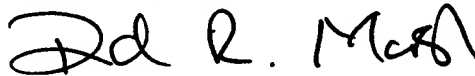
4) Amendments discussed: None

5) Summary: At the interview, Applicants' representatives appreciated the opportunity to discuss the outstanding 35 U.S.C. § 132 objections to the specification. In addition, it was discovered during the interview that the Sequence Listing mailed July 30, 1999 and received by the Office on August 3, 1999 was not present in the Office's electronic files.

6) Other Matters: None

7) General Result: It was agreed that the Applicants would provide a response to Office Communication mailed December 7, 2004 showing that the deletion of the feature description of Xaa₃₉ in SEQ ID NO: 5 does not constitute new matter. In addition, Applicants agreed to submit a courtesy copy of the Sequence Listing originally mailed July 30, 1999, together with their response to the outstanding Office Action, both of which are submitted concurrently herewith.

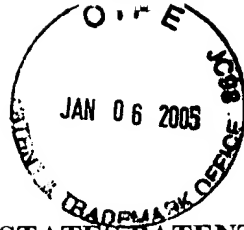
Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
Thomas E. Holsten (Reg. No. 46,098)

Date: January 6, 2005

ARNOLD & PORTER LLP
555 12th Street, N.W.
Washington, D.C. 20004-1206
202.942.5000 telephone
202.942.5999 facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nigel R.A. BEELEY *et al.*

Appln. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction
of Food Intake**

Confirmation No.: 9574

Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032

Response to Office Action mailed December 7, 2004

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Commissioner for Patents

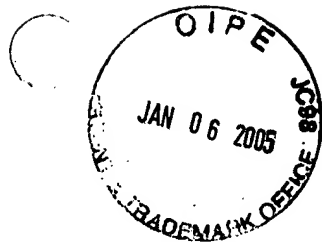
P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 7, 2004 (hereinafter "Office Action"), Applicants submit the following remarks.

Remarks begin on page 2 of this paper.



231/181
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:)	Group Art Unit 1654
)	
Nigel Robert Arnold Beeley et al.)	Examiner DAVENPORT, A.
)	
Serial No. 09/003,869)	
)	
Filed: January 7, 1998)	
)	
For: USE OF EXENDINS AND)	
AGONISTS THEREOF FOR THE)	
REDUCTION OF FOOD)	
INTAKE)	

RESPONSE TO COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Communication mailed March 31, 1999, enclosed is a computer readable form copy of the Sequence Listing, a paper copy of the Sequence Listing, a Statement

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

July 30, 1999
Date of Deposit

Sarah B. Navarro
Name of Person Mailing Paper

Sarah B. Navarro
Signature of Person Mailing Paper

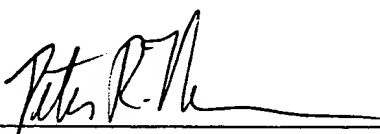
Under 37 C.F.R. § 1.821(f), and a copy of the Notice to Comply With Sequence Requirements. Please amend the specification by entering the enclosed Sequence Listing. The Sequence Listing was generated from the specification and Figure 10, and does not constitute new matter.

Pursuant to 37 CFR §1.136, applicant hereby petitions for a three-month extension of time to take action in response to the Office Action mailed March 31, 1999. This extension of time is effective to allow timely filing of a Response up to and including July 31, 1999.

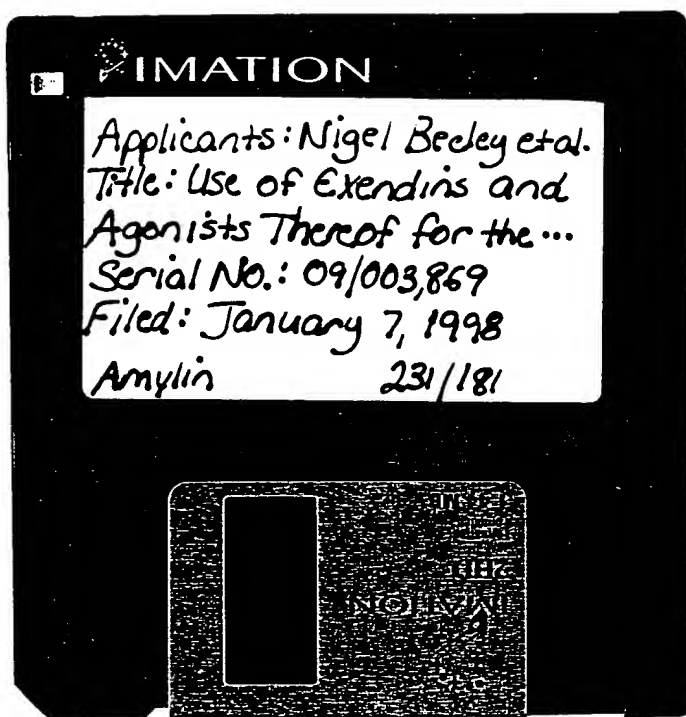
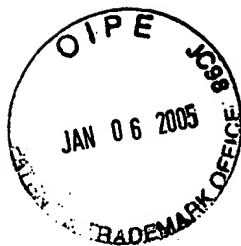
Enclosed is a check in the amount of \$435.00 for payment of the fee for the three-month extension. If the enclosed fee is incorrect, please charge or credit our Deposit Account 12-2475 for the appropriate amount.

Respectfully submitted,

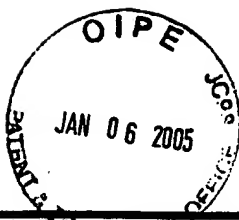
Dated: July 30, 1999

By 
Peter R. Munson
Registration No. 43,821

LYON & LYON, LLP
First Interstate World Center
633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066
(619) 552-8400



Applicants: Nigel Bedley et al.
Title: Use of Exendins and
Agonists Thereof for the...
Serial No.: 09/003,869
Filed: January 7, 1998
Amylin 231/181



Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant(s) Nigel Robert Arnold Beeley et al.
Serial No.: 09/003,869
Filed: January 7, 1998
For: **USE OF EXENDINS AND AGONISTS THEREOF
FOR THE REDUCTION OF FOOD INTAKE**
Attorney(s): PRM
Docket No.: 231/181
Date of Deposit: July 30, 1999
Enclosure(s): Response to Communication; copy of Notice to Comply to Sequence Requirements; Statement Under 37 C.F.R. § 1.821 (f); Copy of Sequence Listing in paper copy and on ASCII formatted diskette; Check No. 5875 for \$435; and return postcard
PRM:sbn Amylin

LYON & LYON LLP

ATTORNEYS - AT - LAW

DOCKET NO. 231/181
SERIAL NO. 09/003,869
APPLICANT BEELEY, ET AL.

4225 EXECUTIVE SQUARE
SUITE 800
LA JOLLA, CA 92037

UNION BANK OF CALIFORNIA
LOS ANGELES, CA 90071

16-49
1220

No. 5875

EXPLANATION	AMOUNT
3 MTH EXT OF TIME	435 00

PAY —EXACTLY FOUR HUNDRED THIRTY-FIVE DOLLARS AND NO/CENTS—

DATE JULY 30, 1999 \$ 435.00

TO THE
ORDER
OF

☐ COMMISSIONER OF PATENTS AND TRADEMARKS

LYON & LYON LLP

⑈005875⑈ ⑆122000496⑆ 0320058325⑈

WARNING: Original Document Has An Artificial Watermark On Reverse Side

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REMITTANCE ADVICE
PLEASE DETACH BEFORE
DEPOSITING CHECK

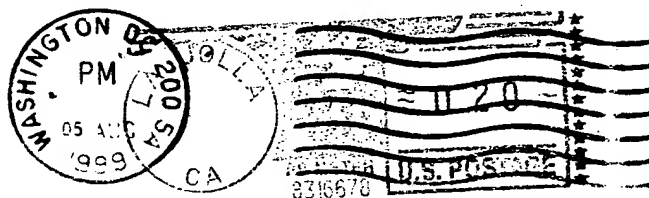
TO COST OF 3 MTH EXT OF TIME \$435.00
RE: BEELEY, NIGEL ET AL. / DOCKET NO. 231/181 / SERIAL NO. 09/003,869
BJD/PRM

81700



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Applicant(s) **Nigel Robert Arnold Beeley et al.**
Serial No.: **09/003,869**
Filed: **January 7, 1998**
For: **USE OF EXENDINS AND AGONISTS THEREOF
FOR THE REDUCTION OF FOOD INTAKE**
Attorney(s): **PRM**
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PRM:sbn **Amylin**



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